

REMARKS

Claims 1-12 and 23 are now pending in the application. Claims 3 and 4 are amended herein. Claims 7-9 stand withdrawn. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Izzi, Sr. (U.S. Pat. No. 4,630,368). This rejection is respectfully traversed.

Claim 1 calls for "a handle including a hand grip portion and first and second blade mounting portions . . . wherein said handle is a single, integrally formed member." Applicants submit that claim 1 defines patentable subject matter over Izzi, Sr.

Izzi, Sr. discloses a handle 17 mounted on a separate adapter 20, which includes a blade mounting right angular surface 23 (see, e.g., Figures 1-3 and column 2, line 52 to column 3, line 19 of the Izzi, Sr. reference). The Examiner asserts that "[w]hen assembled together, the Izzi handle is a single integral unit, and thus anticipates the claim limitation, 'wherein said handle is a single, integrally formed member'" (see page 2 of the Office Action). The Examiner further asserts that "[t]he limitation 'wherein said handle is a single, integrally formed member' does not limit the claim to include only the type of handle disclosed by Applicant", and that "[r]ather, any number of components can be considered a 'single, integrally formed member' if the components are assembled and connected together" (see page 6 of the Office Action).

Applicants respectfully disagree with the Examiner. Applicants acknowledge that the handle and adapter components of Izzi, Sr. could form an “integral unit.” However, Applicants submit that the claimed subject matter of “wherein said handle is a single, integrally formed member” defines patentable subject matter over an “integral unit.” In particular, Applicants submit that a “single, integrally formed member” is not anticipated by an “integral unit” including more than one component. “Single” is defined as “[c]onsisting of one part, aspect, or section.” *The American Heritage College Dictionary* (Boston, MA, Houghton Mifflin, 3rd ed. 1997), pg. 1272, Def. 2a. “Member” is defined as “[a] distinct part of a whole . . . ” *Id.*, at pg. 849, Def. 1. Thus, Applicants submit that a “single member,” being one distinct part, is not disclosed by the “integral unit” of Izzi, Sr., which includes more than one component.

Furthermore, Izzi, Sr. also does not disclose the “integrally formed” subject matter of claim 1. Claim 1 calls for a handle to include a handgrip portion and first and second blade mounting portions and to be a single, integrally formed member. However, the handle 17 of Izzi, Sr. includes a handgrip portion, while the adapter 20 includes a separately formed blade mounting right angular surface 23 (see, e.g., Figures 1-3 and column 2, line 52 to column 3, line 19 of the Izzi, Sr. reference). Thus, Applicants submit that Izzi, Sr. does not disclose a handle as claimed, the handle being one distinct part having a handgrip portion and first and second blade mounting portions formed therein.

Therefore, for at least these reasons, Applicants submit that claim 1 is not anticipated by Izzi, Sr. Accordingly, withdrawal of this rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Izzi, Sr. in view of Applicant's Admitted Prior Art. Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Izzi, Sr. in view of Gunnerson (U.S. Pat. No. 2,782,821). Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Izzi, Sr. in view of Coleman (U.S. Pat. No. 2,140,496) and in further view of Gunnerson. Claims 10 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Izzi, Sr. in view of Applicant's Admitted Prior Art. Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Izzi, Sr. in view of Gunnerson. These rejections are respectfully traversed.

Claims 2, 5, and 10-12 all depend on claim 1 and, therefore, for at least the reasons stated above with respect to claim 1, should also be patentable.

Claim 6 depends on claim 3. As noted below, claim 3 has been rewritten in independent form and should be in condition for allowance, as indicated by the Examiner. Accordingly, for at least the same reasons, claim 6 should also be patentable.

Furthermore, claims 5-6 each recite "wherein said handle includes a hook member for hanging said hand saw." Additionally, claim 12 recites "wherein said handle includes a hook member." Applicants note that, in the Remarks section of the previously filed Amendment, it was incorrectly indicated that claim 12 also includes the phrase "for hanging said hand saw."

The Examiner states that "[i]n this case, providing an alternative handle grip portion, such as the one disclosed by Gunnerson, would have been obvious to one of

ordinary skill in the art at the time the invention was made for a variety of reasons, such as accommodating a larger hand” (see pages 6-7 of the Office Action). Applicants respectfully disagree. Applicants reiterate that Gunnerson does not specifically call out or describe the hook portion of handle 15 (see Figure 1 of the Gunnerson reference), much less disclose any motivation or suggestion for combining the feature with another disclosure. Thus, as previously argued, Applicants submit that there is no motivation or suggestion to combine Izzi, Sr. and Gunnerson and that the proposed combination thereof requires impermissible hindsight in view of the present application.

For these additional reasons, Applicants submit that claims 5-6 and 12 are not obvious in view of the references. Applicants, therefore, respectfully request reconsideration and withdrawal of these rejections.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 3 and 4 would be allowable if rewritten in independent form. Accordingly, Applicants have amended claims 3 and 4 to include the limitations of the base claim and any intervening claims. Therefore, claims 3 and 4 should now be in condition for allowance.

The Examiner states that claim 23 has been allowed. Applicants respectfully thank the Examiner for the thorough consideration of claim 23.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request

that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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